

by jurists who have a greater familiarity with the social, geographical, political, and economic life of the region, especially if those jurists were required to be residents of that region;

Be it, *Resolved* That the Alaska State Legislature strongly supports S. 253 and the division of the Court of Appeals for the Ninth Circuit into three regional divisions with one region consisting of the States of Alaska, Idaho, Montana, Oregon, and Washington headquartered in the Pacific Northwest; and be it

Further Resolved, That the Alaska State Legislature questions the need for a fourth circuit division and urges the sponsors of S. 253 and the United States Congress to inquire into the need for a fourth circuit division; and be it

Further Resolved, That the Alaska State Legislature urges the sponsors of S. 253 to consider including a requirement that judges assigned to one of the three regional divisions must reside in that regional division and urges the United States Congress to amend S. 253 to address this concern; and be it

Further Resolved, That the Alaska State Legislature believes that a reorganization of the Court of Appeals for the Ninth Circuit is long overdue and urges the United States Congress to expeditiously consider and enact S. 253.

Copies of this resolution shall be sent to the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Strom Thurmond, President Pro Tempore of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable Dick Armey, Majority Leader of the U.S. House of Representatives; the Honorable Thomas Daschle, Minority Leader of the U.S. Senate; the Honorable Richard A. Gephardt, Minority Leader of the U.S. House of Representatives; the Honorable Orrin G. Hatch, Chair of the U.S. Senate Committee on the Judiciary; the Honorable Henry J. Hyde, Chair of the U.S. House Committee on the Judiciary; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM-289. A resolution adopted by the Legislature of the State of Alaska relative to the year 2000 census; to the Committee on Governmental Affairs.

LEGISLATIVE RESOLVE NO. 22

Be it resolved by the legislature of the State of Alaska:

Whereas the Constitution of the United States requires an enumeration of the population every 10 years and entrusts the Congress with overseeing each decennial enumeration; and

Whereas the sole constitutional purpose of the decennial census is to apportion the seats in the United States House of Representatives among the several states; and

Whereas an accurate and legal decennial census is necessary to properly apportion the seats in the United States House of Representatives among the states and to create legislative districts within the states; and

Whereas 13 U.S.C. 141(c) mandates that the Bureau of the Census provide each state with basic tabulations of population (P.L. 94-171 data) within one year after the decennial census date; and

Whereas the Alaska State Legislature believes that Article I, Section 2, Constitution of the United States, in order to ensure an accurate count and to minimize the poten-

tial for political manipulation, mandates an "actual enumeration," meaning a physical headcount of the population, and prohibits reliance on estimates of the population for purposes of apportioning seats in the United States House of Representatives among the several states; and

Whereas legislative redistricting conducted by the states is a critical subfunction of the constitutional requirement to apportion representatives among the states; and

Whereas the United States Supreme Court, in *Department of Commerce v. United States House*, slip. op. no. 98-404, 1999 WL 24616, 67 U.S.L.W. 4090, ruled on January 25, 1999, that 13 U.S.C. 195 prohibits the proposed use by the Bureau of Census of statistical sampling in the determination of population for purposes of apportioning seats in the United States House of Representatives among the several states; and

Whereas the appellees in *Department of Commerce v. United States House* established standing partly on the basis of a claim of expected intrastate vote dilution due to the proposed use by the Bureau of the Census of statistical sampling; and

Whereas the use of census data adjusted by means of sampling or other statistical methodologies in redistricting by the State of Alaska could raise serious issues of vote dilution and violate "one-person, one-vote" legal protections, expose the state to protracted and costly litigation over redistricting, and ultimately result in a court ruling invalidating the redistricting plan; and

Whereas the Alaska State Legislature believes that a person, once enumerated, should not be counted by sampling or other statistical methodologies for purposes of redistricting; and

Whereas every reasonable and practical effort should be made to obtain the fullest and most accurate count of the population possible, including appropriate funding for state and local census outreach and education programs and post-census local review;

Be it *Resolved* That the Alaska State Legislature calls on the Bureau of the Census to conduct the 2000 decennial census consistent with the ruling in *Department of Commerce v. United States House* and with the Constitution of the United States; and be it

Further Resolved That the Alaska State Legislature calls on the Bureau of the Census to conduct a physical headcount of the population and not to use random sampling techniques or other statistical methodologies that add persons to or subtract persons from the census count in developing redistricting data under P.L. 94-171 for use by the states in intrastate redistricting; and be it

Further Resolved That the Alaska State Legislature opposes the use of P.L. 94-171 data for state legislative redistricting based on census numbers that have been determined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statistical methodologies that add or subtract persons; and be it

Further Resolved That the Alaska State Legislature requests that Alaska be given P.L. 94-171 data for legislative redistricting identical to the census tabulation data used to apportion seats in the United States House of Representatives, derived from a physical headcount of the population, and not adjusted using random sampling techniques or other statistical methodologies that add persons to or subtract persons from the census count; and be it

Further Resolved That the Alaska State Legislature urges the Congress, as the branch of government assigned the responsibility of overseeing the decennial enumeration of the population, to take whatever steps are necessary to ensure that the 2000

decennial census is conducted fairly and legally.

Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable William M. Daley, Secretary of the U.S. Department of Commerce; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Trent Lott, Majority Leader of the U.S. Senate; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 832: A bill to extend the commercial space launch damage indemnification provisions of section 70113 of title 49, United States Code (Rept. No. 106-135).

By Mr. BOND, from the Committee on Small Business, with an amendment in the nature of a substitute:

H.R. 1568: A bill to provide technical, financial, and procurement assistance to veteran owned small businesses, and for other purposes (Rept. No. 106-136).

By Mr. ROTH, from the Committee on Finance:

Report to accompany the bill (S. 1388) to extend the Generalized System of Preferences (Rept. No. 106-137).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 800: A bill to promote and enhance public safety through the use of 9-1-1 as the universal emergency assistance number, further deployment of wireless 9-1-1 service, support of States in upgrading 9-1-1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes (Rept. No. 106-138).

By Mr. JEFFORDS, from the Committee on Health, Education, Labor and Pensions, with an amendment in the nature of a substitute:

S. 632: A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. WARNER, from the Committee on Armed Services:

Charles A. Blanchard, of Arizona, to be General Counsel of the Department of the Army.

Carol DiBattiste, of Florida, to be Under Secretary of the Air Force.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601: